

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RUDOLPH GEORGE STANKO,

Defendants.

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8:05CR93

ORDER

This matter is before the court on the interlocutory appeal, which the court will construe as a motion to permit an interlocutory appeal, filed by the defendant in this case. Filing No. 252. The court has reviewed the motion and determines there is no controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal would not advance the ultimate determination of this litigation. 28 U.S.C. § 1292(b). Trial in this case will continue as scheduled on Monday, April 17, 2006. Counsel are instructed to appear at 8:30 a.m.

THEREFORE, IT IS ORDERED THAT defendant's motion for an interlocutory appeal, Filing No. 252, is denied.

Dated this 14th day of April, 2006.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge